

**Minutes
Throop Borough Council
Special Monthly Meeting
Thursday, January 24, 2002
following the Special Monthly Work Session**

The meeting opened with the Pledge of Allegiance.

ROLL CALL:

Members Of Council:

Joseph Barone-P

James Barnick-P

Anthony Chrzan-P

President-Thomas Lukasewicz-P

George Marushock-P

Jim Mellody Jr.-P

Vice President-Daryl Menichetti-P

Mayor - Stanley Lukowski-P

Solicitor - Attorney Louis Cimini-P

Treasurer - Lenore Dolan-A

Administrator/Secretary - Elaine Morrell-P

Announcements:

- * An Executive Session was held this evening at 6:00 p.m. regarding the Marjol situation.
- * Monday, January 28th at 6:30 p.m. - Ernie Cicilioni - Lackawanna County Redevelopment Authority Public Hearing - Re: CDBG Funds for the Warsaw Project
- * Monday, January 28th at 7:00 p.m. Monthly Council Meeting
- * The Lackawanna County Treasurer assigned a representative to sell Dog Licenses at the Throop Municipal Building on Tuesday, Feb. 12, 2002 from 10:00 a.m. until 3:30 p.m.

Council Comments on Agenda:

Lukasewicz-There are the three written ones, Motion #4 will be a motion to retain Sal Cognetti, as per the engagement letter, and Motion #5 to change the fees for the Day Care (After School Program) at the Civic Center, to change the amount for borough residents from \$35.00 to \$25.00 per week as of the date, February 18th (2002) will be the start date.

Marushock-Mr. President, I also have a motion to put on for us to send a letter to PennDOT to remove the sign in the right of way at the intersection of Cypress and Line Street in Throop.

Lukasewicz-Letter to PennDOT to remove sign at, does anybody else have any motions we want to put on

right now, because if there's any comments, whatever.

Chrzan-Yeah, we're going to put Mr. Bocan on. *Lukasewicz-Okay.*

Morrell-I have a few motions that I jotted down to direct John Szczepaniak to send a letter to the Army Corps. of Engineers to apply for funds regarding the stream bank erosion said under Section 14.

Lukasewicz-Okay, that'll be number 7 (motion). Morrell continued-And to request a study of the Army Corps. of Engineers regarding Lackawanna River. *Lukasewicz-That'll be number 8.* Morrell-Dick Fuhr, temporary help. *Lukasewicz -9.* Morrell-Ed Bocan, Asst. Zoning Officer. *Lukasewicz-10.* Okay, any other ones? Audience comments?

Barnick-There was a final payment, are we going to do that one or just... *Lukasewicz-Final payment on what?* Barnick-That lady..... *Lukasewicz-Well, inaudible, just said a meeting there's tomorrow again.* Barnick-I believe.

Morrell-I don't have an amount or information. Can we do Linde Monday? *Lukasewicz-All right, anything else?* Morrell responded: And I have a couple more for Monday.

Audience comments on Motions to be added to the printed agenda:

Dominick Rocco, 110 Sanderson St. - *Just on #7.... Lukasewicz responded, that would be the area just above the bridge where the water is leaving a sedimentation(both speaking at once, inaudible).....where all the sedimentation's in the middle of the river and (inaudible, few speaking) eroding the bank? Right there. And then the other letter, #8, would be to study the whole area of the dyke.*

John Stoffey, Bellman St. - Motion #1 about intervening with Mid Valley School District on the assessment value of the landfill? (*Lukasewicz responded yes.*) Does anyone know what the assessment value is on the landfill? (Few spoke at once, inaudible, few responded no.) Does the school district know what.....(*Barnick responded, It's never been assessed.*) It's never been, it had to be assessed, it's paid \$546,000 a year. Isn't that the assessment, what he's paying? (*Barnick responded, What you don't understand, it's never been assessed.*) Oh, it's never been assessed. (*Barnick responded, as a landfill.*) Okay. The landfill, the land itself, that's worth.....(someone interrupted in background, few speaking at once).....okay, it assesses his land only? Not total landfill, okay, I understand.

Barnick-The county refuses to assess landfills, that's been a, I mean, a motion I'm going to have for Monday is to amend the Subdivision and Land Development required permits for every phase of operation up there and it's got to go to the county so, just like adding on to your house. They have to go up and assess that part of the landfill.

Stoffey-But according to the paper, Olyphant, Dickson and Dunmore is not going to touch it. (Few spoke at once, inaudible). No, but I'm saying, they're not going to intervene with you and Mid Valley School District. Not Olyphant and Dickson's not going to. It was in the paper, (inaudible, few speaking) right? And Dunmore's not going to do it. *Barnick responded, Dunmore's not going to do it.* No, I know that. *Menichetti said, because it's very expensive, that's why. It's going to cost a lot of money.* *Lukasewicz-Only to a certain point.*

Barnick-No, only to a certain point until the county takes over after they, if they appeal it.

Menichetti-But I understand the school board had their own assessment done.

Barnick-First response inaudible. At the same time, don't forget, be identified by his own certified appraisers what that landfill is worth at \$800 million dollars, in his own court records he identified what it's worth. And also, the board of appeals identified what the highway land was worth at \$243 million or whatever? So, I mean that's just a fortune.

Menichetti-Do we know what it's going to cost to fight this? I mean, it's like fighting City Hall.

Barnick-You're going down to the county appeal board. (Few spoke at once, inaudible.)
Menichetti-I don't like going up against a giant if we don't have money to run our own business.
Lukasewicz-Well, you'll know fast, you go up against the review board. They're either going to either say yes or no or whatever.
Marushock-One of the questions I have is...
Lukasewicz-The county is going to be put in a bad spot. They're going to have to....*Barnick: Decide.* (Few spoke at once, inaudible) Lukasewicz continued, they're in a bad spot.
Menichetti-Dunmore said they're not going to get involved. *Chrzan-Got a surprise coming.*
Lukasewicz-Well, they have to get involved. It's going to hit the fan somewhere and someone's going to have to take the blame for the other side if no one looks at it.
Barnick-No matter what, it all falls on the county. *Lukasewicz-That's right.* Barnick: Win or lose, it falls back on the county for not doing their job to begin with, reassessing the whole county, period.
Lukasewicz-Simple as that.
Cimini-There's a memo in the packets, I spoke to him and he said he's not going to negotiate a settlement. He's going to allow the assessors to make a value determination. (Few spoke at once, inaudible.)
Menichetti-Especially when we're jumping into this head first. (Everyone spoke at once, inaudible.)
Barnick-Because the first thing they'll have is behind the scenes they'll be negotiating with the School District and they'll settle out without a tax.....(Everyone spoke at once, inaudible.) And at the same time we could make sure the school board is going to be on the up and up when they do this. (Conversation took place, inaudible, everyone speaking at once.)
Marushock questioning Atty. Cimini: Can we do that?
Cimini-Yes, there's no objection in doing it. The landfill's allowing it according to my conversations with Mr. DeNaples, he's allowing it to take place. He feels (inaudible) he's going to appeal.....
Barnick-And the appeal goes forward to the county expense. And the appeal's going to....they appeal and run it from there.
Menichetti-Now this motion says to intervene with Mid Valley. Do you want to clarify that?
Barnick-Mid Valley's already got it.
Menichetti-Mid Valley, they don't need us. I mean, (inaudible).
Barnick-They got the tapes right now, but we've got to intervene with them, with the tapes. (Few speaking, inaudible.)
Morrell-I have a few evaluations on Keystone Land, on Keystone bills. You want to hear them?
Barnick-Yeah, because I'm sure it's only about \$800 bucks....
Morrell-One of their properties, this is under Keystone Company, total valuation: land \$11,350., and improvement which would be a building, I would imagine, \$17,024. Total valuation, \$28,374. Our tax is \$113.50. The next one....
Barnick-The total tax that he pays in this town is about \$890.00 total for all the land in the borough.
Morrell-To the borough. Barnick continued, for the whole Throop Borough.
Morrell-His next parcel is valued at \$44,000. He pays \$176.00. The next property is valued at \$7,150., he pays pennies on \$7,000. The one, the other one is \$28.60. The other is \$193.80. The other one is \$224.80 and the other one is \$54.65 and that's all under Keystone Company. Tell me that's assesses fairly? I don't have a grand total. (Few spoke at once, inaudible). It's probably less than \$1,000. Less than \$1,000.
Menichetti-Less than a \$1,000..... *Morrell-Yeah.* (Everyone speaking at once.)
Cimini-It's the county that has to do something.
Stoffey-In other words, actually the cost won't revert back to the borough because when you appeal taxes it doesn't cost you money to appeal taxes, assessment value. Just fill the paperwork out and that's it. You

have a hearing in front of three guys, I think it's Fanucci, Wansacz and Price, his wife. They're the three on the board. (Cimini inaudible.) I understand but still, they're the people that are going to do it. They're the assessment board, they're going to do it.

Barnick-But the county, if the county would do them for everybody right now, there's three landfills they're not doing and when I sent letters down to the Planning Agency down there before, they would not touch any of the landfills to reassess them every time there was an expansion. You put an addition on your house they're out there right away because the permit is issued through zoning. It's sent to the county and they're out there reassessing your house, that new portion.

Menichetti-What about the building on there? They're not assessed?

Morrell-The buildings are assessed. One is assessed at \$17,000, the other one at \$35,000 and that's probably just on our end.

Stoffey-So that's \$42,000 add 68 mills from the school district times (x) that?

Barnick & Morrell-It's nothing. (Few speaking at once, inaudible.)

Barnick-And then everyone of them up there, Harper Collins, all of them got reassessed, the reassessment value, they got their taxes dropped, every one of them.

Cimini-To understand what they're doing, if what he says is accurate and he lets the assessors make the determination then you're not going to benefit. Whatever happens, happens. (Barnick, Cimini speaking at once.) This is only, from what I understand, this is only in the event (inaudible) to negotiate settlement.

Barnick-If they negotiate with that school district, we'll know about it and we're going to be part of it.

Menichetti-But we'll get, even if they settle, we'll get something, right? Or we'll get whatever...

(Few speaking at once.) Cimini-Not if he settles on like the landfill agreement we have but if he settles, any settlement, but if the county makes a determination, we would get the benefit. If it's an out of court settlement then we.....

Barnick-Then we would be part of the negotiations.....(Cimini, Barnick, speaking at once.)

Cimini-If we intervene. That's why we have to.....

Menichetti-But then we also have to pay some of their legal costs, too.

Barnick-Why would we have to pay their legal costs? (Few speaking at once.)

Cimini-Intervening basically means that we're going to get a copied on everything...(many speaking at once, inaudible). We're still a party to the case and there's still the issue of whether or not they will allow us to intervene. That's also an issue. I mean, there's only certain times of the year when we file these.....(inaudible)....this is the landfill but we still have to follow up when we can file an appeal, the assessor's office, I don't know what it is. I think it's April through October. (Speaking at once, inaudible.) I think you're going to get an argument on whether or not you actually can intervene.

Lukasewicz-Well, there's only way to find out.

Cimini-But, I mean that doesn't stop us from sending letters to start the process if that's what you want to do.

Barnick-Yes. And we're going to protect the Throop people at the time if they do negotiate a settlement, we're going to make sure there's going to be a proper settlement on this.

Stoffey-I was down the assessment office. I went down there, my son has a house in Dickson City, he was appraised at \$12,500 assessment on his house. So what I did, I went down just like a lawyer, got the streets, got all the numbers of all the properties, the only time the county can raise your assessment on your house, if you put a detached garage. If I put an addition on my house, they cannot reassess it. Because if they do it for me, they've got to do it for everybody.

Barnick-They do it.

Morrell-They do, do it. Yes they do, yes they do. (Everyone speaking at once, inaudible.)

Stoffey-Listen, I'm telling you.

Morrell-John, we're telling you they pick up the permits every month and they do it.
Stoffey-Well, I'm telling you when I went down there I talked to the lady down there at the assessment, I talked to Gary Fanucci on the board, he says if you, like I'm going to put a garage up at my house this year, I, my taxes are going to go up because I'm putting a garage on. Now, if I add on to my house, if I put siding on, I could a roof on..... *Barnick-Not siding.....* The siding, the roof, there's no, they don't assess your..... *Barnick-That doesn't count. (Everyone speaking at once, inaudible.)*

John Musewicz, Mruck St. - Reverting back to the Day Care (the After School Program), the Day Care changes on the agenda?

Lukasewicz-The only change would be on the Throop residents would pay less money.

Musewicz-How about for the second child? *Barnick-Hmm.*

Elaine Morrell-That's a good question. (Many spoke at once, inaudible.) Dave Morrell-I believe it was \$10 less.

Barnick-Now it's a set rate of \$25. *Dave Morrell-For both?* Barnick: I guess.

Morrell-No, you need a discount for the second child. (Many speaking at once.) *Lukasewicz-\$20.*

Barnick-Second one's twenty. (Many speaking at once.) What happens for three?

1. Motion by Barnick **Seconded by Chrzan**

To intervene with Mid Valley School District in regards to the tax assessment on the landfill.

All in favor **Motion carried**

Barnick-Just in reference to that one I'd like to get a resolution for Monday requesting the whole county be reassessed and pass it to every township all around like they did to us. Actually, we wouldn't even have a county tax if these landfills were paying what they're supposed to be paying.

Lukasewicz-That's right. (Everyone speaking at once, inaudible.)

2. Motion by Barnick **Seconded by Chrzan**

To direct Louis A. Cimini, Borough Solicitor to contact Atty. Dolan, MVSD Solicitor, to recover the correct amount of realty transfer tax for Throop Borough and Mid Valley School District from the respectable parties in regards to the sale of the Thomson Property, Keystone Industrial Park.

All in favor **Motion carried**

Marushock-I move that we table this motion (referring to Motion #3) pending the evaluation of the building in the Industrial Park.

3. Motion by Marushock **Seconded by Mellody**

To table Motion #3, as follows:

To lay out Ash St. west extension to our 48 acres according to the Borough Code.

Four in favor-Barone, Marushock, Mellody, Menichetti
Three against-Barnick, Chrzan, Lukasewicz **Motion tabled**

Lukasewicz-Joe, what are you doing?

Barone-I don't want that property.
Chrzan-What did you vote?
Lukasewicz-You know I voted against it.
Chrzan-I don't believe this. *Chrzan whistled.*
Barone-All I want is to take that building, *inaudible, everyone spoke at once.*
Lukasewicz-The question is, the question is that someone better come a decision on this soon enough. We're in a commitment with the state. We just acquired 48 acres of land so when you people go home you better think very hard on this. (Few spoke at once.) What you're doing by not opening up this street, aside from putting the (inaudible), by not opening up this street we are jeopardizing our commitment to the state to allocate funds there for a plan that we have already committed to and you're jeopardizing that land.
Chrzan-You know, they want somebody else to get the land, that's why.
Menichetti-That is not my reason.
Barnick-All the time and money spent.....
Chrzan-That is your reason.
Menichetti-No. I have no, I have no.....
Chrzan-We got the land. Why don't we build on it? (Everyone spoke at once.)
Morrell-Absolutely. We are committed in a signed agreement to spend so much money every year for the next five years.
Lukasewicz-.....million dollars over a period of I believe, five or six years.
Morrell-We have a master plan.
Chrzan-That's right. *Morrell-Signed and submitted to them. (Everyone speaking at once.)*
Menichetti-I thought was committed to recreation. I didn't think we could use it for.....
Morrell/Lukasewicz-No. Morrell: It's for..... Lukasewicz: municipal or for public use. There was a master plan there, whoever is not aware of it you should come up here and look at the master plan.....*Barnick replied, time and money.*
Chrzan-You know who's going to end up there, don't you? *Barnick responded, yeah.*
Lukasewicz-.....where the garage would go, where the (inaudible) would go, where the athletic field would go, where the ice skating rink would go.... *Morrell-An amphitheater.*
Marushock-The thing is right now we've got a financial burden across the street imposing on the taxpayers. Can we afford another one right now?
Lukasewicz-Financial burden? We are providing a nice service to the people of Throop.
Barnick-That's not a financial burden, they provide a service.
Marushock-At a cost, okay? We're bringing those costs in line. We're making progress in a positive way to control the costs over at that facility. Step by step things are being done, okay? Can we really afford to put that money into that 48 acres and, again bearing in mind, the mine, the possible mine subsidence(few spoke at once, inaudible).....I can show you documentation that we've had up there.
Chrzan-And you're going to throw a third of a million dollars for a piece of junk up there instead of putting a third of a million dollars into something.....(many spoke at one, inaudible).
Lukasewicz-You still have to put \$200 or \$300,000 to operate it, it's just shell.
Marushock-I don't think so. Let's get, that's why I'm saying let's get an evaluation.
Chrzan-Oh, boy, talk about (everyone speaking at once).
Marushock-We're talking a million dollars up there for the DPW (inaudible). *Chrzan-Yeah.* Marushock continued: I don't think we will hit a million dollars up there to buy this site, the building, and make the improvements. It will be under that half million dollars.
Lukasewicz-Okay, let me ask you a question. What do you want to do with the 48 acres?

(Response inaudible, few speaking at once.)

Chrzan-They want to give it to somebody else.

Lukasewicz-You can't just table 48 acres. There's a written agreement made with the state that we are going to finance that project. So when you tell me to table something, I can't just take 48 acres in an agreement and table it. We've got to act on it one way or another. (Everyone speaking at once, inaudible, a discussion ensued.)

Marushock-This motion, #3 on tonight's agenda, is being tabled until an evaluation of that other site up there is made. (Everyone speaking at once.)

Lukasewicz-Irregardless of where the DPW garage goes, we still have to commit to that site this year.

Barnick-No matter what. *Morrell said, absolutely.*

Menichetti-Will that be our commitment for the year? (Everyone speaking at once, a discussion ensued)

Lukasewicz-But this is to get the road open.

Barone-All right, so start putting the road up then. Let's have the building checked. I'll be honest, I was against putting the building.....(everyone spoke at once, inaudible.) Just because you're going to have that building checked, that doesn't mean you can't start that project up there, start leveling off. (Everyone spoke at once, inaudible.)

Chrzan-To start it. *Lukasewicz-That's what it was for, Joe.* Chrzan-To start it, Joe. It says it right there, to open up Ash Street. *Lukasewicz-That all this was for.* Barnick-You tabled it.

Barone-Well, it's tabled. *Chrzan-You want to change your vote?*

Barnick-It's going on for Monday again. (Everyone spoke at once.)

Barone-Check it out, that's all I'm asking. You know what? I'm going to tell you something, and I'm going to blame all council. We put so many motions up and we don't follow up and they never get done. And I'll give you three examples right up there, a year I've been asking for them.

Those, Line Street, over a year and a half already, make a motion, nothing is done. Cambria Court, Cameron Court, nothing's been done. Push it off, oh yeah, we make a motion, big deal. People call up, when are you going to do it? Hey, that's our fault.

Chrzan-Joe, you just said open up Ash Street and now.....(Everyone speaking at once).

Lukasewicz-If we don't get this started, before you know it, it's going to be June, July and August.

Chrzan-How are you going to explain this.....

Morrell-Tommy, we have \$500,000. We have \$250,000 on the line that's under the recreation department for Eddy Creek Refuse Bank and then we have \$250,000 under the garage and salt storage. So we have \$500,000 in the budget this year in the budget this year for them.

Barnick-No, no, it's a ten year plan. It's a ten year plan, I know that.

Morrell-Yeah, but weren't there phases? There was something specific for the first so many.

Keyasko-Tom, did you read that study they did in 1974 up there?

Lukasewicz-I did read the study, yes. *Keyasko-And what does it tell you?* The study said that it probably wasn't a good idea to build a big structure like the school up there. (Few speaking at once, inaudible.)

Keyasko-Didn't they tell you to build something there it would cost you more for the foundation than it would for the building?

Barnick-What do we need a foundation for? *Morrell-We don't need a foundation.* (A discussion ensued)

4. Motion by Barnick

Seconded by Barone

To retain Sal Cognetti as per his engagement letter in regards to Marjol at a fee of \$20,000.

Mayor-You know, regarding Sal Cognetti, Hugh Kaufman was on the phone a couple of days, said he's

the best trial lawyer in the east.

Lukasewicz-He's got a good, without getting into it, he's got a good game plan in the interest of the Borough of Throop.

Mayor-In the east, he's the best trial lawyer.

Lukasewicz-We have to commit to this.

All in favor

Motion carried

5. Motion by Chrzan

Seconded by Marushock

To decrease the rate that *proven* Throop residents pay to attend the Day Care Center (After School Program) at the Civic Center, beginning February 18th, 2002. \$25.00 First Child, \$20,00 Second Child.

On the question:

Barnick-A proven, a proven resident. Because I seen some where, hey, they go to Mid Valley School and they live in Dunmore. *Lukasewicz said, okay.*

Chrzan-Huh, one works in the office.

All in favor

Motion carried

6. Motion by Marushock

Seconded by Menichetti

To direct the solicitor to send a letter to PennDOT requesting to remove all signs in any right of way throughout the Borough of Throop.

Barnick-Yeah, but how do you know this?

Lukasewicz-It's a motion that's going to be said, I don't know how....

Barnick-Yeah, but how do you know this?

Chrzan-I'm going to tell you right now, there's a First Amendment. Louie, you know what it is, Freedom of Speech, and things may happen with this. You guys better be prepared.

Marushock-It's in a state right of way.

Chrzan-That's what you think, Geddy.

Barnick-Individual.....

Marushock-It's in Lenore's.....

Chrzan-Individual lawsuit. Louie, explain to them what it means.

Marushock-It's in Lenore's statement, I believe.....

Barnick-No, no, she didn't..... *Chrzan-Oh, no.*

Lukasewicz-(Inaudible) Atty. Cimini reviewed this and.....

Cimini-My conclusion was that it's in violation of the Zoning Ordinance if Lenore's statement was correct. Barnick-If. (Everyone spoke at once, inaudible.) She didn't say.....

Lukasewicz-Irregardless of what Lenore said, the letter would be sent to the state requesting for them to investigate and see if there is signs in the right of way.....(few spoke at once, inaudible)...if it is in their right of way, the Borough of Throop supports that it be taken down.

Barnick-Wait a minute, Tommy, wait a minute. You know what? I'm going to support this, wait a minute, but I want every sign that's in the right of way. Every sign the Borough of Throop.....(inaudible, few speaking at once)....and I'll vote for it. *Chrzan-Put that.....* Barnick-And I'll vote for it. *Chrzan-Put*

it in the motion. Barnick continued: Every sign, because if you want, you've got to survey this whole town. *Lukasewicz-Who made the motion?* Barnick-I'm telling you. *Marushock said, I'll make that motion then.....* Barnick-Every sign..... *Marushock-that's in the right of way....* Barnick-That's in the right of way, every one, must be removed. (Few spoke at once, inaudible.) Barnick-But now, nothing's going to be done until every sign is moved.

Lukasewicz-It's up to PennDOT to do what they want to do.

Chrzan-Why are you picking on just the one now?

Lukasewicz-It's up to PennDOT, I'm not picking on..... *Chrzan-Yes, you are.*

Lukasewicz-The letter's going to state..... *Chrzan-He said up on Cypress Street.* We changed it now when Jimmy wanted all the.....

Chrzan-But it's on the record. You started out by saying Cypress Street. *Marushock-Correct.*

Chrzan-Okay, if we pick on (inaudible), then we're only picking on them, aren't we? *Marushock-Yes, you.....* Chrzan-You've got to upset the whole town, not just, do what you have to do, you'll walk away..

Marushock-The motion has been changed. The motion has been changed to do it borough-wide.

Barnick-That means when it comes up for, time for election, not one of you's, not one of you's better have a sign in a right of way. And don't send one of your guys from the school to go pull them down, either. (Everyone speaking at once, inaudible.)

Chrzan-Your buddy Cabets (voices raised, inaudible) Daryl, you were sitting in there the other day when you brought up about the signs. *Menichetti-I didn't bring up anything about the.....* Chrzan-Yes, you did. Last week you brought it up about the signs.

Lukasewicz-All right, so we'll....

Chrzan-Yes, you did, Daryl.

Menichetti-(Inaudible) it was the first meeting we had. *Chrzan-No, it was last week.* (Everyone speaking at once.) Menichetti continued, I call the question, please. *Chrzan-Is that right?*

(Everyone speaking at once, inaudible.)

Barnick-And what's it read? *Lukasewicz responded, the motion as I understand it....that...*

Morrell-Is to direct the solicitor to send a letter to PennDOT in regards to removing all signs in the right of ways throughout the Borough of Throop.

Barnick-Wow. That's an important move for Throop.

Lukasewicz-It's very simple, it's up to PennDOT to do their job, it's important.

Barnick-Well, Larry, I hope we don't see one of your signs (background, inaudible).

Four in favor-Marushock, Mellody, Menichetti, Lukasewicz

Three against-Barone, Barnick, Chrzan

Motion carried

(Everyone speaking at once, inaudible.)

Lukasewicz-Okay, when we did Cognetti's, did we put an amount in there? Can we amend it? **Okay, to include the fee of \$20,000.** Everyone be agreeable to that to include the \$20,000.

Marushock-In that respect, I can change my vote if that's, we can go back to that, we dollar figure on it now. *Lukasewicz said, all right, few speaking at once.* It was very vague.

Lukasewicz-It's \$20,000. So everyone will be agreeable to that and Mr. Marushock, you would like to change your vote? Does anyone have a problem with Mr. Marushock changing his vote?

(No replies made.) Okay, next one (*the motion was read*), and the local boroughs would pay 35% and they pay 65% and in coordination with that to have John also contact Lackawanna River Corridor Association to actually find out what we would enter into them in regards to this area.

7. Motion by Marushock

Seconded by Menichetti

To have John Szczepaniak, Frederick C. Spott & Assoc. send a letter to the Army Corps of Engineers to apply for funds regarding stream bank erosion, etc., under Section 14.

All in favor

Motion carried

Barnick-I've got to get a motion on to get a sign control guy, advertise for it.

8. Motion by Marushock

Seconded by Barnick

To request a study by the Army Corps. of Engineers of the Lackawanna River and to send copy of letter to all of our representatives for their assistance.

All in favor

Motion carried

9. Motion by Chrzan

Seconded by Barnick

To hire Richard Fuhr as temporary help with the DPW, as needed.

Barnick-Richard, in there.

Morrell-Richard. And the union did agree that we could do that while Domnick is out.

Marushock-On the question, can we have this worded that we just bring him out as we can get to help this time? 'Cause I mean, a lot of ground maintenance and stuff at this time, (inaudible, few speaking at once), on an on-call basis. *Morrell-Tony, how often?*

Chrzan-Tell him to repeat that, I don't know what he said.

Marushock-That he be placed on an on-call basis because right now a lot of the ground maintenance is not being done.

Chrzan-I would say leave it up to the Street Commissioner, if he feels he needs him.....I call the question.

Six in favor-Barone, Barnick, Chrzan, Mellody, Menichetti, Lukasewicz

One against-Marushock

Motion carried

10. Motion by Barone

Seconded by Chrzan

To appoint Ed Bocan as Assistant Zoning Officer at a rate of \$10.00 per hour *and to authorize him to attend the Zoning seminar.*

On the question:

Marushock-I understand he is qualified, however, I felt we should have advertised and made everyone in the borough, citizen wise.....(everyone spoke at once, inaudible).

Lukasewicz-Even though it wasn't advertised in the paper, at the last two meetings when Mr. Lokuta said he didn't want to anymore, it was pretty much asked if anybody was interested to come forward and let us know.

Marushock-I feel if we did advertise it we would have let everyone in the borough have a fair chance at this application. He's qualified.....

Barnick-To add in there to authorize him to attend the seminar for the Zoning.
Chrzan-Okay, I'll go along with that.

All in favor

Motion carried

Barnick-I've got a job for you right off, Ed. Wait, the motion's coming up.

11. Motion by Barnick

Seconded by Chrzan

To direct the zoning officer to identify all signs within PennDOT right of ways throughout the Borough of Throop and to turn this list into PennDOT with this letter. All signs, including no-trespassing, private property, anything that's in the right of way.

Barone, Barnick, Chrzan-All said, welcome to Throop.

On the question:

Inaudible conversation.

Chrzan-No, we don't want to pick on you.

Lukasewicz-You can do whatever you want to by now, it doesn't make a difference.

Chrzan-No, we wouldn't do that to you. *Barone-Let's go.*

Five in favor-Barone, Barnick, Chrzan, Marushock, Menichetti

Two against-Melody, Lukasewicz

Motion carried

Lukasewicz-.....gonna run around town like an idiot now.

Barnick-Yeah. *Everyone spoke at once, inaudible.*

Barone-I want to make a motion to raise up Lenore's, make it \$1,000.

12. Motion by Barone

Seconded by Chrzan

To raise Lenore Dolan's pay from \$11,000 to \$12,000.

Barone-Because if we lose her the Borough's going to be in trouble.

Lukasewicz-You want to motion it to raise Lenore's pay from \$11,000 to \$12,000.

Menichetti-We keep trying to give all the employee's across the board a raise.

Marushock-Good point.....

Menichetti- If we single her out then we'll have to give the Assistant Secretary a raise. It's not fair.

Barone-Well, you know the girl, she does real good work and she's doing a lot of work....

Menichetti-I know but she's.....

Barone-She's working over there for nothing? There's a lot of difference as far as I'm concerned. If she quits you're going to hire two people.

Lukasewicz-Okay, there's a motion, there's a second, on the question?

Marushock-Like I say, if the treasurer of Borough Dickson City can do it for \$5,000 why.....
(everyone spoke at once, inaudible).

Lukasewicz-On the question, like I stated earlier she does a tremendous amount of work over there at the Civic Center also and if it's a \$1,000 instead of the 2.8 (%), I guess I have to go for it, so, roll call:

Four in favor-Barone, Barnick, Chrzan, Lukasewicz
Three against-Marushock, Mellody, Menichetti, “thought
it was already settled” **Motion carried**

Barone-I want to say one more thing getting back to this 48 acres. There are reasons why I want this building checked out. I was against that 48 acres, putting that DPW garage up there from the beginning and everybody knows it here and I'd go by it for Robbie, I talked it over. To put just to level that out up there and put topsoil, it's going to cost \$10 million dollars.

Barnick-Where'd you get these figures from?

Barone-Well, I, that's a figure from John Szczepaniak from years ago.....

Barnick-.....cost two million dollars.....

Chrzan-Why would you want to put topsoil up there?

Barnick-.....to put a salt.....everyone spoke at once.

Barone-That's two years ago John Szczepaniak figured, roughly two years ago. Trucks are going to have a hard time getting up there. That salt truck is never going to get up Ash Street. I don't think you'll make it up.....everyone speaking at once.....would you let me finish?

Menichetti-Let the man talk, for crying out loud, let him say.....

Barone-That's what I think about this council, you pass that shit, you never follow up on it. Do what you want.

Barnick-Motion to..... *Barone-Go ahead.*

Chrzan-No, wait, there's something I want. Audience comments, go ahead.

Audience Comments:

Andy Lisko, 205 Sanderson St. - Well, I'm back again. I want fences, no trespassing, private property signs taken off those dykes down on the patch. I got a second question. I want to know who'd done the surveying on Throop's property line, put those signs where they're at. The borough's paying for the surveying down there or who paid for it? Few spoke at once.

Lukasewicz-The borough surveyed land on the other side of Sulphur Creek.

Lisko-The borough surveyed the land.....

Barnick-The borough surveyed 16.5 acres.

Lukasewicz-The borough surveyed....*Barnick-16.5 acres. Very specific by motion in 1995.*

Dominick Rocco -Well the guys tell us today when they were down there the Army Corps. of Engineers paid.

Barnick-The borough paid for it.

Rocco-The Army Corps. of Engineers, they said that if they owned that property those fences would not be allowed.

Lukasewicz-Yeah, well what they said, that's their opinion.

Barnick-I'm going to put a motion on for Monday to try to amend the Zoning Ordinance to include that because just what you've said here. If the Army Corps. of Engineers do not allow and it needs it as emergency access, why wouldn't the other ones, why wouldn't the other ones allow it? It's ridiculous. To me the dykes, I remember when my father had been (inaudible) a flood there in Duryea, them dykes, they had to be cleared and they're still cleared to this day to put the sandbags up and everything else in case something happened. Few spoke at once, inaudible.

Lisko-If it's private property let him pay for all the work that's being done down there. If he wants to

contend it's private property.....

Lukasewicz-There's no (inaudible) it belongs to the borough. I cut the grass on that dyke, Andy.

Lisko-You're supposed to, vacate it. *Lukasewicz responded, Andy, I cut that grass on that dyke.*

Lisko-So did I for 28 years. *Lukasewicz: That's right, same way I cut it.*

Lisko-But I didn't have to. *Lukasewicz: I didn't have to either but I do.*

Lisko-I'm not talking about cutting grass. *Lukasewicz-But, even ice.....* Lisko continued: I'm not talking about...(inaudible)....the place is in question. That place right there is in question but you don't seem to admit it. Now you were, that property was ordered vacated by a county judge and you're sitting there.....

Lukasewicz-That property was never ordered vacated by a county judge.

Lisko-What are you, what are you doing putting those signs up there for?

Lukasewicz-I own as much right to that property as anybody.

Lisko-That's not private property, that dyke. *Lukasewicz-That, well, yes it is.*

Lisko-It's just like you can't put that (inaudible) on those sewer lids and plus there's a pipe that's underneath my property. How come you don't....

Lukasewicz-It wasn't the (inaudible) your property.

Lisko-They go right to my property and his property. *Lukasewicz said, wow.* Lisko continued: Wow, Mr. Big. Who knows what damage you done to them pipes with all that pressure that you kept trapped in there. We notice a lot of sewer smells down there that's down the back. Everything belongs to him.

Lukasewicz-Any, anything that belongs to me.....

Lisko-Look it, I'm going to tell you something.

Lukasewicz-The only thing that belongs to me is.....

Lisko-Let me tell you something.....*Lukasewicz-.... what I try to buy and pay for, I'm not a*

Lisko continued, I'm telling something, I'm walking that for 28 years and I'm going to start walking me again and you could have me arrested. That belongs to the borough, you don't have any business....

Lukasewicz-If you want to walk on my land, you walk on it, I'll (inaudible) to the Magistrate, you can trespass if you want. If you want to get (inaudible), go ahead and trespass, you have the right to trespass. You have the right to trespass, go ahead and trespass.

Lisko-What's going to happen if some kid can't walk around there and climb around there and falls down and hits their head on a big boulder or falls down there when there's water in there....

Lukasewicz-Why should the kid be there? Why should they be there?

Lisko-Why should they be there? Because they have a right to be there. You don't have a right to put a fence there. *Lukasewicz-It's my property.*

Lisko-It is not your property. *Lukasewicz-It is.*

Lisko-Even it was you can't do that. It belongs to the borough and that's a right of way there.

Lukasewicz-It doesn't belong to the borough.

Lisko-For everybody. *Lukasewicz-It doesn't.*

Lisko-No, you can't talk to this guy.

Lukasewicz-You made a lot of assumptions without even knowing the facts.

Lisko-Well, what is the facts, now, Tom. *Lukasewicz-You know the facts, tell us.* Lisko continued: I'm just telling you the facts.....(inaudible).

Cimini-Nobody knows whose property that is yet.

Chrzan-Well, he claims it's his.

Lisko-He's putting private property signs on it.

Cimini-Yeah, I talked to the guy, they don't even know whose it is. They gave us a list of four people to talk to and recommended that we do title searches on every property going back to whenever we can find out whose it is. That was their recommendation.

Rocco-Yeah, but the old records states that it is your property with the new rights.....

Lukasewicz-There are no records that state that, Rocco, there are no records that state that.

Rocco-Well, on the property that I own there was 200 and something feet on one side. Now it's only 100 and something feet. The old maps. According to the old ones, the way it stated it was supposed to be 200' on one side.....(everyone spoke at once).

Lisko-You had to gall to even take a pipe and cement it into the middle of that creek there and have the borough spending money down to clean it out. That's the gall you got. You sit there. So smug. You know, I'm going to tell you something my friend, it's not that I really hate you....

THE TAPE WAS CHANGED HERE AND STARTED :

Chrzan-I want to make another motion. I almost forgot about it. I want to make a motion:

13. Motion by Chrzan

Seconded by Barnick

To send a registered letter to Mr. Keyasko to return the borough keys, Borough Code and whatever belongs to the borough.

All in favor

Motion carried

Chrzan-I understand he's out of office already over a month and he didn't turn anything in and it's a standard procedure that we do it to everybody.

Lukasewicz asked Lisko is there was anything else. Lisko responded, no, that's it.

John Stoffey, Bellman Street - Yeah, I want to talk about that 48 acres. You said before if you pass, it will be \$150 an hour for the machine or something like that (earth moving). (Few spoke at once, inaudible.) You didn't pass that, right? But you figure \$150 an hour by 8 hours a day is \$1200. dollars a day times five days, that's \$6,000 a week. How many weeks is it going to take to level everything to make that.....

Lukasewicz-We anticipate probably one solid week...(Interrupted, many speaking at once, inaudible).

Stoffey-One solid week? *Lukasewicz responded, yeah.*

Barnick-And that's not to get some grading done up there....

Lukasewicz-That's to get the entranceway opened up and to see where you are and have an idea of what's there, then you could evaluate what you want to do.

Barone-I suggest you put an ice skating rink up there, that'd be.....

Chrzan-That's a good idea. *Everyone spoke at once.*

Stoffey-....Once you make that road in, I mean, once you...

Lukasewicz-There's a lot of areas where.....

Stoffey-It could be pushed, right? *Barnick responded, oh, yeah.* Stoffey continued, okay.

Lukasewicz-There's not a lot of hours, John.

Motion to adjourn.

The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary